



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/624,463	07/21/2003	Gary Sohngen	T9918

CONFIRMATION NO. 5558

20449
 KARL R CANNON
 PO BOX 1909
 SANDY, UT 84091

FORMALITIES LETTER



OC000000012718771

Date Mailed: 05/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

00 00 00
 00 00 00
 385.00 00 00
 90.00 00 00
 65.00 00 00

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

- The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-9B.
- The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4A.

07/20/2004 MBELETE1 00000042 10624463

01 FC:2001
 02 FC:2202
 03 FC:2051

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$180** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

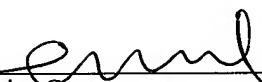
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1080** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$180**
 - **\$180** for **10** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. T9918

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GARY SOHNGEN et al.)
)
TITLE: INTRAMEDULLARY NAIL)
FOR LONG BONE)
FRACTURES)
)
SERIAL NO.: 10/624,463) RESPONSE TO NOTICE TO
) FILE MISSING PARTS OF
FILED: July 21, 2003) NONPROVISIONAL
) APPLICATION
EXAMINER _____)
)
ART UNIT: _____)
)
)
)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

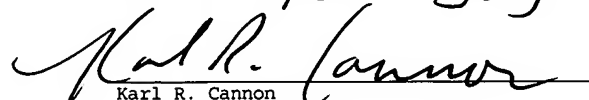
Sir/Madam:

In response to the Notice to File Missing Parts of
Nonprovisional Application mailed May 20, 2004, applicant responds
as follows:

 X Small Entity Status is hereby claimed.

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 16 day of July, 2004.


Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

Please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

1. Declaration, Power of Attorney and Petition executed by the inventors Gary Sohngen and Barry Hubbard;
2. Assignment from the inventors Gary Sohngen and Barry Hubbard to Advanced Orthopaedic Solutions, Inc. (with cover sheet);
3. Verified Statement Claiming Small Entity Status for a Small Business Concern signed by Gary Sogngen, President of Advanced Orthopaedic Solutions, Inc.;
4. Copy of the Notice to File Missing Parts of Application;
5. An Information Disclosure Statement under 37 C.F.R. §1.97, accompanied by a Form PTO-1449.
6. Check No. 7799 in the amount of \$580.00 to cover the filing fee for the above-identified application, the recordation fee for the enclosed patent assignment, and the surcharge fee pursuant to 37 C.F.R. § 1.16(e). These fees have been calculated as follows:

Basic filing fee for a Small Entity	=	\$385.00
10 Claims in excess of 20 (x \$9)	=	90.00
0 Independent Claims in excess of 3 (x \$43)	=	0.00
Assignment recordation fee	=	\$ 40.00
Surcharge fee for a Small Entity	=	\$ 65.00
TOTAL =		580.00

Please debit any additional fees, or credit any overpayment,
to Deposit Account No. 50-0836.

The Commissioner is hereby authorized to charge payment of the
following fees associated with this communication or to credit any
overpayment to Deposit Account No. 50-0836.

 x Any additional filing fees required under 37 C.F.R. §
1.16.

 x Any patent application processing fees under 37 C.F.R.
§ 1.17.

The Commissioner is hereby authorized to charge payment of the
following fees during the pendency of this application or credit
any overpayment to Deposit Account No. 50-0836.

 x Any patent application processing fees under 37 C.F.R.
§ 1.17.

 The issue fee set in 37 C.F.R. § 1.18 at or before
mailing of the Notice of Allowance, pursuant to 37
C.F.R. 1.311(b).

 x Any filing fees under 37 C.F.R. § 1.16 for presentation
of extra claims.

Please direct all future correspondence in connection with
this application to:

Customer No. 20449

Please direct all telephonic and facsimile communications to:

Karl R. Cannon

Telephone: (801) 255-5335
Facsimile: (801) 255-5338

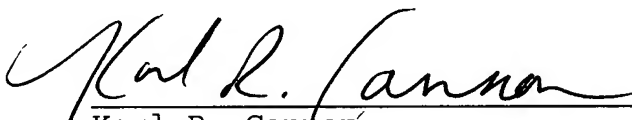
Please reference the below provided attorney docket number in
all communications:

T9918

Please address all future correspondence in connection with
this case to the attention of the undersigned.

Dated this 16 day of July, 2004.

Respectfully submitted,



Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

Clayton, Howarth & Cannon, P.C.
P.O. Box 1909
Sandy, Utah 84091
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

KRC/tet

S:\CHC Files\T 9--\T99--\T9918\Resp to Miss Parts.wpd